

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

THERESA FAUST,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Hon. Paul L. Maloney

Case No. 1:16-cv-00287

REPORT AND RECOMMENDATION

This matter originated in the United States District Court Eastern District of Michigan on (MIED) on December 10, 2014. The MIED Court ordered a stay from June 9, 2015 to November 16, 2015. (ECF Nos. 8, 9). Original and substitute counsel were terminated on December 8, 2015, (ECF No. 11), with Plaintiff proceeding pro se from that date forward. The MIED Court ordered a transfer of the case to this court on March 18, 2016.

Following the filing of the answer and administrative transcript, Plaintiff was directed to file her initial brief by May 19, 2016. (ECF No. 23). Plaintiff failed to file her brief by the due date. On June 30, 2016, she filed a motion requesting a 90-day extension of time. The Court granted an extension until August 31, 2016. (ECF No. 28). To date, Plaintiff has failed to file her brief.

As such, the undersigned hereby recommends that this matter be dismissed pursuant to Fed. R. Civ. P. 41(b) and W.D.Mich. L.Civ.R. 41.1 for want of prosecution and failure to comply with the rules and orders of this court. Timely objections to this Report

and Recommendation shall be considered plaintiff's opportunity to show cause why this matter should not be dismissed.

Date: September 20, 2016

/s/ Ellen S. Carmody
ELLEN S. CARMODY
U.S. Magistrate Judge

OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within 14 days of the date of service of this notice. 28 U.S.C. § 636(b)(1)(C). Failure to file objections within the specified time waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).